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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,026	11/08/2006	Hiroki Sasagawa	1019952-000215	9211
21839 7590 01/08/2008 BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404				
EXAMINER				
TOTH, KAREN E				
ART UNIT		PAPER NUMBER		
3735				
NOTIFICATION DATE		DELIVERY MODE		
01/08/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

## Application No.

10/588,026

## Applicant(s)

SASAGAWA ET AL.

## Examiner

KAREN E. TOTH

## Art Unit

3735

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 5 is/are allowed.
- 6) ☒ Claim(s) 3 and 4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

2. Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Inagaki (US Patent 6344025).

Inagaki discloses a sphygmomanometer comprising a body portion with an arm band configured to surround a patient's upper arm (element 10), and a remote control unit that allows remote control of the sphygmomanometer body (element 20), wherein the remote includes an operating portion that may be detachably mounted on a holding portion of the sphygmomanometer body (element 31) and a display portion for displaying a measurement result (element 21), and the control unit communicates with the sphygmomanometer body via wireless communications, whether or not it is stored in the holding position (column 4, lines 40-45). The device may be positioned upon a user such that the user may see the display portion during measurements.

***Claim Rejections - 35 USC § 103***

3. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Inagaki in view of Henkin (US Patent 6251080).

Regarding claim 3, Inagaki discloses a sphygmomanometer comprising a body portion with an arm band configured to surround a patient's upper arm (element 10),

and a remote control unit that allows remote control of the sphygmomanometer body (element 20), wherein the remote includes an operating portion that may be detachably mounted on a holding portion of the sphygmomanometer body (element 31) and a display portion for displaying a measurement result (element 21), and the control unit communicates with the sphygmomanometer body via wireless communications, whether or not it is stored in the holding position (column 4, lines 40-45). Inagaki further discloses that the body portion may comprise wireless communications for communicating with the remote unit (element 35) and an operating portion for operating the body unit (column 3, lines 59-61), where the body unit operates in response to a signal sent by the remote control unit (elements 21, 22). Inagaki does not disclose the body portion comprising a display portion for displaying a measurement result, and a storage portion for storing data such as patient information data, date information, and blood pressure value trend information, where the remote control unit outputs an operation signal to the body portion, and the body portion generates the stored data in response to the operation signal and outputs the information to the remote control unit.

Henkin teaches a sphygmomanometer comprising a body portion (element 18) and a remote control unit (elements 48, 49), where the body portion comprises a display portion (elements 44, 102) for displaying patient data and storage for storing data (elements 64) such as patient identification, date, and blood pressure value trending (column 7, lines 27-64; column 9, lines 14-64), and that the data collected and stored in the body unit may also be transmitted to the redundant unit (column 8 line 40 to column 9 line 13), in order to allow a patient or caregiver to choose the most convenient

configuration for collecting and observing data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the system of Inagaki with additional display and storage capabilities in the body unit, as taught by Henkin, in order to allow a patient or caregiver to choose the most convenient configuration for system operation.

***Allowable Subject Matter***

4. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to anticipate or make obvious the invention of claim 2, including, *inter-alia*, a sphygmomanometer with a body portion having an arm band and a display, and a remote control unit that may be mounted on the body portion and, when not mounted, communicates wirelessly with the body portion, where the remote control unit has a display, a storage portion for storing identification information about subjects being measured, sphygmomanometry date information, and blood pressure value trend information for each measurement, and a communication portion that acquires the information for display by the display portion.

Inagaki teaches a similar device, but does not disclose the remote control portion storing information such as subject identification data, date information, or blood pressure value trend information.

Tseng (US Patent 6506162) discloses a sphygmomanometer with a removable memory unit for storing patient data. Tseng does not disclose the removable unit being configured to control the device, nor being capable of wireless communication.

The prior art of record fails to anticipate or make obvious the invention of claim 5, including, *inter-alia*, a sphygmomanometer with a body portion having an arm band and a display, a remote control unit with a display and that can be mounted on the body portion and, when not mounted, communicates wirelessly with the body portion, and a holding unit that holds the body portion and can adjust the positioning of the body portion to take measurements in a desired location.

Ogura (US Patent 5649536) discloses a sphygmomanometer with a body portion and a holding unit (figure 1), but does not disclose the body portion communicating with a remote control unit.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5687732 to Inagaki, which discloses similar inventions.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAREN E. TOTH whose telephone number is (571)272-6824. The examiner can normally be reached on Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, II can be reached on 571-272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

//Robert L. Nasser Jr//  
Primary Examiner, Art Unit 3735

/K. E. T./  
Examiner, Art Unit 3735